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United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ERIK D. MENDOZA-CONTRERAS,  
  
Defendant.

CASE NO. 1:22-CR-00074-JLT-SKO

STIPULATION TO CONTINUE CHANGE OF  
PLEA HEARING; FINDINGS AND ORDER

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through their counsel, hereby stipulate as follows:

1. By previous order, this matter was set for change of plea on June 24, 2024.  
2. By this stipulation, defendant now moves to continue the change of plea hearing to August 12, 2024, and to exclude time between June 24, 2024, and August 12, 2024, under 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes investigative reports and related documents in electronic form, videos, photographs, and digital evidence. The government provided initial discovery and supplemental discovery.

b) Counsel for defendant desires additional time to review discovery, consult with his client, prepare for trial, and conduct additional plea negotiations.

1           c)       Counsel for defendant believes that failure to grant the above-requested  
2 continuance would deny him the reasonable time necessary for effective preparation, taking into  
3 account the exercise of due diligence.

4           d)       The government does not object to the continuance.

5           e)       Based on the above-stated findings, the ends of justice served by continuing the  
6 case as requested outweigh the interest of the public and the defendants in a trial within the  
7 original date prescribed by the Speedy Trial Act.

8           f)       For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
9 et seq., within which trial must commence, the time period of June 24, 2024 to August 12, 2024,  
10 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(i) and (iv) because it  
11 results from a continuance granted by the Court at defendant's request on the basis of the Court's  
12 finding that the ends of justice served by taking such action outweigh the best interest of the  
13 public and the defendants in a speedy trial.

1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
3 must commence.

4  
5 IT IS SO STIPULATED.  
6

7  
8 Dated: June 21, 2024

PHILLIP A. TALBERT  
United States Attorney

9  
10 /s/ Antonio J. Pataca  
ANTONIO J. PATACA  
Assistant United States Attorney

11  
12 Dated: June 21, 2024

13 /s/ Nicholas Reyes  
NICHOLAS REYES  
Counsel for Defendant  
Erik D. Mendoza-Contreras

14  
15  
16  
17 IT IS SO ORDERED.

18 Dated: June 26, 2024

19 Jennifer L. Thurston  
UNITED STATES DISTRICT JUDGE